

Newfield Exploration has some questions for EPA related to air permitting following a non-attainment designation in the Uintah Basin.

In order to appropriately plan for the continuation of operations following a potential non-attainment designation it is critical that industry have certainty for the air permit process. We are requesting EPA's timely response to the following questions.

- 1) We understand that the Ute Tribe has requested that EPA designate only a limited portion of Indian Country as non-attainment (Ouray area). What actions does EPA anticipate taking in response to this request?
- 2) Can you share the map that accompanied the Tribes non-attainment request which indicates the proposed area for the non-attainment designation?
- 3) How much weight does EPA afford to the Tribes request for a non-attainment designation of limited range? Will they consider the approach the Tribe followed in their request?
- 4) What is the likelihood that a non-attainment designation would occur prior to October of 2017?
- 5) Will FIP Part 1 Registrations submitted prior to non-attainment under the current Indian Country FIP rule still be considered valid and allow construction and/or modification to begin following a non-attainment designation? At what point will FIP Part 1 Registrations already filed prior to non-attainment no longer suffice to begin construction?
- 6) Would site specific applications deemed complete before non-attainment designation be valid for construction and/or modifications that begins or continues following non-attainment designation? At what point in the permitting process will applications filed prior to non-attainment no longer be valid under attainment rules.
- 7) Following a non-attainment designation, by what process will operators be able to permit new minor source facilities or modify existing minor source facilities?
- 8) Is EPA considering a reservation specific new source FIP that would address new construction and/or modifications following a non-attainment designation, similar to the current FIP process?
- 9) What is the expected time frame for EPA processing post non-attainment minor source applications? What recourse will operators have, if any, if EPA's process of reviewing applications and issuing permits is not timely and unduly burdens the development of Tribal minerals?
- 10) Does EPA anticipate that future permits under a non-attainment designation would contain additional control requirements that go beyond OOOOa?